


FORM PTO-1083

Docket No.: 331.1120  
Date: January 16, 2007Mail Stop: PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450In re application of: **Thomas RUEHLE, et al.**  
Application No.: 10/578,999  
Filed: 5/11/2006  
For: **PARTICLE COMPOSITE, METHOD FOR PRODUCTION AND USE THEREOF**

S i r:

Transmitted herewith is a **Response to Notice of Acceptance Application (2 pages)** in the above-identified application.

- [X] Also transmitted herewith are:  
[ ] Petition for extension under 37 C.F.R. 1.136  
[X] Other: **Return Receipt Postcard**  
**Copy of Notice of Acceptance (2 pages)**  
**Executed Declaration and Oath (2 pages)**  
**Copy of Filing Receipt (3 pages)**  
**Supplemental IDS Letter and PTO-1449 Form (3 pages) and cited references**
- [X] Check(s) in the amount of **\$130.00** is/are attached to cover:  
[ ] Filing fee for additional claims under 37 C.F.R. 1.16  
[ ] Petition fee for extension under 37 C.F.R. 1.136  
[X] Other: Filing surcharge for Declaration/ Power of Attorney
- [X] The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- [X] Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- [X] Any patent application processing fees under 37 C.F.R. 1.17.
- [X] Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
William C. Gehris, Reg. No. 38,156  
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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on January 16, 2007.  
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
Danielle Sullivan

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Re: Applicant: **Thomas RUEHLE et al.**  
Application No.: 10/578,999  
Filed: Herewith as national phase of International application No.  
PCT/EP2004/010792 filed on September 25, 2004  
Attorney Docket No.: 331.1120  
For: **PARTICLE COMPOSITE, METHOD FOR THE  
PRODUCTION AND USE THEREOF**

Mail Stop: PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 16, 2007

**RESPONSE TO NOTICE OF ACCEPTANCE OF  
APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495**

S i r:

In response to the Notice of Acceptance of Application under 35 U.S.C. 371 and 37 CFR 1.495 dated January 5, 2007, a copy of which is enclosed, please find an executed Declaration/Power of Attorney form signed by the inventor and a check in the amount of \$130.00 covering the filing surcharge.

Furthermore, we have received a filing receipt, dated January 5, 2007, for the above-identified application. As indicated on the enclosed copy, please make the following corrections.

Please correct the Applicant(s) as follows:

**Juergen Henke, Viernheim, GERMANY**

Please correct the Domestic Priority data as claimed by applicant as follows:

**This application is a 371 of PCT/EP04/010792 09/25/2004**

01/22/2007 MKAYPAGH 00000066 10578999

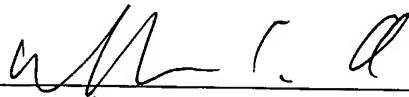
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Applicants respectfully request that a corrected filing receipt be issued. If any additional fees are deemed due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By  \_\_\_\_\_  
William C. Gehris  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO.

10/578,999

FIRST NAMED APPLICANT

Thomas Ruehle

ATTY. DOCKET NO.

331.1120

INTERNATIONAL APPLICATION NO.

PCT/EP04/10792

I.A. FILING DATE

09/25/2004

PRIORITY DATE

11/14/2003

23280

DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 SEVENTH AVENUE, 14TH FLOOR  
 NEW YORK, NY 10018

CONFIRMATION NO. 5128

371 ACCEPTANCE LETTER



\*OC000000021855470\*

Date Mailed: 01/05/2007

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

05/11/2006

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
 (c)(4) REQUIREMENTS

05/14/2006

DATE OF COMPLETION OF ALL 35 U.S.C. 371  
 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 05/11/2006
- English Translation of the IA filed on 05/11/2006
- Copy of the International Search Report filed on 05/11/2006
- Preliminary Amendments filed on 05/11/2006
- Information Disclosure Statements filed on 05/11/2006
- Oath or Declaration filed on 05/11/2006
- U.S. Basic National Fees filed on 05/11/2006
- Priority Documents filed on 05/11/2006
- Power of Attorney filed on 05/11/2006

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

FORM PCT/DO/EO/903 (371 Acceptance Notice)